

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

v.

AARON A. CORTEZ

Case No. 6:21-mj-00013-HBK

DENYING DEFENDANT'S REQUEST FOR
REMOTE APPEARANCE

(Doc. No. 32)

Pending before the Court is Defendant's request to appear by remotely for his initial appearance on November 1, 2022 for an alleged probation violation filed October 27, 2022. (Doc. No. 32). Defendant reports living in the Los Angeles Area and explains he would need to take time off of work in order to make the initial appearance. (*Id.*). The Government's seven days to respond will elapse before the November 1, 2022 hearing. (*Id.*); *see also* L.R. 430.1(f); *see generally* docket.

Defendant is charged with violating the terms of his supervised probation. (Doc. Nos. 29, 30). Hinging on the defendant's consent, video conferencing may be used to conduct arraignments, pleas, trials and sentencing for misdemeanor offenses. Fed. R. Crim. P. 43(b)(2). As authorized by Section 15002(b)(3) of the CARES Act, on March 30, 2020, General Order No. 614 authorizes the use of video conferences for initial appearances subject to the **discretion of each judge**. On September 19, 2022, General Order 614 was extended by General Order No. 655 for an additional 90 days to expire on December 18, 2022.

1 While the Defendant is charged with a misdemeanor offense, his request to appear
2 remotely for his initial appearance on his violation of probation on November 1, 2022 is
3 DENIED.

4 Accordingly, it is **ORDERED**:

5 Defendant's request to appear via video conference for the November 1, 2022 initial
6 appearance on his violation of probation is DENIED.

7
8 Dated: October 31, 2022


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE